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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/655,864

09/05/2003

Joseph Brian Gallick

206,194

7291

7590

01/19/2007

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EXAMINER

VAN DOREN, BETH

ART UNIT

PAPER NUMBER

3623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/655,864

Applicant(s)

GALLICK ET AL.

Examiner

Beth Van Doren

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a non-final office action in response to communications received 10/27/2006. Claims 1 and 10-11 have been amended. Claim 3 has been canceled. Claim 21 has been added. Claims 1-2 and 4-21 are now pending in this application.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 21 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 21 recites "providing an information menu of predetermined program types consisting of typical individual and group challenges to be addressed, including catastrophic medical events, natural disasters, fires, providing care for an aging loved one, and the arrival of a new baby, and including an "Other" option to accommodate any major life challenge imaginable". This limitation is not described in the specification. Pages 1, 4-5, and 18-19 of the original specification disclose program subjects related to a sick family member, new babies, financial setbacks, disability, etc., but do not specifically discuss natural disasters or fires. Further, these sections disclose a menu related to program goals, not types, and these sections further do not specifically describe a functional menu listing "catastrophic medical events, natural disasters, fires, providing

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care for an aging loved one, and the arrival of a new baby” and the specification does not appear to mention “an “Other” option to accommodate any major life challenge imaginable”. Therefore, it is respectfully submitted that the limitation above is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

For examination purposes, examiner has construed the limitation to be --providing an information menu of predetermined program goals consisting of individual and group challenges to be addressed, wherein the goals are related to programs associated with types including catastrophic medical events, providing care for an aging loved one, and the arrival of a new baby--.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-2 and 4-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “providing an information menu [...] accessed by user using automated telephone menus and Internet menus”, “providing an interactive process [...] accessed by the user using telephone means and internet means”, and “providing tools accessed by the user using telephone means and Internet means”. It is not clear in each instance if the method would be carried out the same using both means. Further, it is not clear if the same user accesses the menu, the process, and the tools using both means or if

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different users select a means and consistently use that means throughout the method.

Clarification is required.

Further, it is not clear as to how a telephone would be used in each instance to access the tools. For example, it is not clear how the telephone would access a tool of “requirement of password access control of others to a World Wide Web site” or providing editable copy”. Clarification is required.

Claims 2 and 4-10 depend from claim 1 and therefore contain the same deficiencies.

Claim 11 recites substantially similar subject matter to claim 1 and is therefore also rejected as being indefinite for the reasons set forth above.

Claims 12-20 depend from claim 11 and therefore contain the same deficiencies.

#### ***Claim Objections***

6. Claim 13 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 13 recites “means for accessing the tools through a telephone”, which is recited in claim 11 in the limitation “tools accessed by the user using telephone means”.

#### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-2, 4-5, 7-15, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over The Jimmy Fund ([www.jimmyfund.org](http://www.jimmyfund.org)) in view of Weyer et al. (U.S. 6,671,714).

As per claim 1, The Jimmy Fund teaches a method in a computer system for initiating and managing a volunteer group program that includes a plurality of volunteers, the method comprising:

providing an information menu of predetermined program goals to a user of the computer system with the information menu accessed by user using Internet menus (See page 1, section 1, page 12, section 1, and pages 15-16, wherein information is provided concerning the predetermined goals of a volunteer program to the user);

providing an interactive process to the user through the computer system to enable the user to select at least one of the program goals on the information menu to pursue with the interactive process accessed by the user using Internet means (See page 1, section 1, page 12, section 1, and pages 15-16, wherein the user dynamically links through the site and selects the team option to pursue);

generating and outputting electronically, from the computer system, an organizational framework based on the at least one selected goal, with specific roles, responsibilities, and features needed to achieve the at least one selected goal (See pages 15-16, wherein a framework is outputted that corresponds to the team option, the output showing specific roles (team leader versus team member), responsibilities (fundraising and recruitment goals), and features (webpage, email, etc) used to pursue the goal);

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providing tools accessed by the user using Internet means with tools for:

recruiting additional volunteers (See pages 15-16, with tools for recruiting volunteers);

managing and scheduling the volunteer activities of the additional volunteers to complete volunteer tasks (See pages 11-12 and 15-16, wherein the activities of the recruited volunteers (i.e. fundraising and participating in the walk) are managed (the team leader monitors the volunteer fundraising levels) and scheduled (the fundraising must be completed by a specified date and the walk occurs on a specified date)); and

communicating details related to progress of the volunteer group program to all interested parties (See pages 15-16, wherein progress is reported);

providing an option to set a requirement of password access to control access of others to a World Wide Web site associated with the volunteer group program and accessible through the computer system (See page 4, section 1, page 15, and page 17, wherein the user has a "my HQ" section requiring login. Also the user may maintain an account with a password);

providing project timelines, procedures, content guidelines, examples, and editable copy from the computer system for use by the additional volunteers (See pages 11-12 and 15-16, wherein timelines (recruiting and fundraising deadlines), procedures (about the walk information), content guidelines (i.e. text about the team on the webpage, such as a default message), examples (how much to raise, ways to gain recognition, etc.), and editable copy (support and recruitment emails) are provided);

providing promotional materials generated by the computer system to build awareness of the volunteer group program among potential new volunteers (See page 16,

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section 1, wherein promotional materials (encouraging text and pictures) are provided to build awareness of the team and recruit additional volunteers).

However, The Jimmy Fund does not expressly disclose telephone means/menus or that only a program manager is provided an option to set a requirement of password access.

Weyer et al. discloses that an interface is provided to the user via Internet or telephone means (with a menu) (See column 14, lines 10-30).

Jimmy Fund discloses that when a captain/team leader starts a team, this captain is responsible for entering a team name, entering fundraising and recruiting goals and managing completion of these goals. Jimmy fund further discloses that when a volunteer registers with the system, the volunteer must enter the team name that he/she is joining. Further, the volunteers create a profile on the system called "My HQ" with which they can access and join other teams. The system includes a team web page that is edited and maintained by the team captain and available for access to all team members. Therefore, the art touches on the fact that there is control over the team by the team captain and control over the team web page. Further, Examiner points out that a main user inviting other users to view a web page associated with the main user via password protected means is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have a program manager (i.e. team leader) set a requirement of password access to the team web page in order to more efficiently secure access to the team page by ensuring that the page is available to all team members and not persons who are not part of the team. See pages 15-16 and 20.



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Further, Jimmy Fund discloses Internet means and menus for managing a fundraising/volunteer program. Weyer et al. discloses that a voicemail menu system accessed by a user via a telephone may be used to provide the user interface in place of Web site/Internet means. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include telephone means with the teachings of Jimmy Fund in order to more efficiently provide online communications to diverse recipients. See column 14, lines 10-30 of Weyer et al.

As per claim 2, The Jimmy Fund teaches wherein the tools are provided for use through the World Wide Web site accessible through the computer system (See pages 13 and 15-16, wherein the tools are provided via a website).

As per claims 4 and 5, The Jimmy Fund discloses wherein the managing and scheduling of the efforts of the additional volunteers includes:

periodically checking previously posted and selected tasks for timely completion (See pages 11-12 and 15-16, wherein the fundraising levels assigned are monitored); and

transmitting to a responsible volunteer team member a status of the tasks including the non-completed tasks (See pages 11-12 and 15-16, wherein the team leader is informed of the status of the tasks).

However, The Jimmy Fund does not expressly disclose sending a request for completion of a non-completed task.

The Jimmy Fund discloses a computer-based system that manages a volunteer group and transmits to a user status and progress information concerning the volunteer group, such as current fundraising levels. The Jimmy Fund further discloses that a team leader has the ability to send emails to elicit support, recruit volunteers, etc. Therefore, it

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would have been obvious to one of ordinary skill in the art at the time of the invention to send a request to a member to aid in the completion of a non-completed task or project in order to more efficiently and successfully manage the volunteer group by not only notifying users of the needs of the group, but also request action.

As per claim 7, The Jimmy Fund discloses a calendar subsystem of the computer system to list information on specific dates for which volunteer efforts are needed and to publicize the work of volunteers up to a given date (See pages 15-16, wherein the team leader can see publicized information reflection the work of volunteers up to a given date. See pages 5 and 12-13, wherein specific dates for the activities (such as the completion date for fundraising) are established and viewable on the website).

As per claim 8, The Jimmy Fund teaches a method further comprising:

providing the computer system with a message board management system to manage the posting and viewing of messages to a message board server connected to the computer system which stores and maintains an electronic message board to enable users to publish information and statements of encouragement to the team and the individual or group which the team supports in performing the volunteer group program (See page 16, wherein the team leader can manage a message board that allows the leader to publish text that encourages participation).

As per claim 9, The Jimmy Fund teaches a method further comprising:

providing a World Wide Web or private network interface of the computer system to allow access to a Web site associated with the volunteer group program to provide information to Web site visitors regarding the volunteer group program (See figures 1

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and 4-5, paragraphs 0008-10, 0188, 0190-4, 0450, and 0655-8, which discusses a web site with access).

As per claim 10, The Jimmy Fund discloses a method further comprising:  
providing Internet-based access to computer system as the Internet means to provide the Internet menus for Internet users with Internet access (See pages 13 and 15-16, wherein access is provided via a website). However, Jimmy Fund does not expressly disclose providing telephone-based access to the computer system as the telephone means to provide the automated telephone menus for telephone users without Internet access.

Weyer et al. discloses that an interface is provided to the user via Internet or telephone means (with a menu) (See column 14, lines 10-30).

Jimmy Fund discloses Internet means and menus for managing a fundraising/volunteer program. Weyer et al. discloses that a voicemail menu system accessed by a user via a telephone may be used to provide the user interface in place of Web site/Internet means. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include telephone means with the teachings of Jimmy Fund in order to more efficiently provide online communications to diverse recipients. See column 14, lines 10-30 of Weyer et al.

Claims 11-12, 14-15 and 17-20 recite equivalent limitations to claims 1-2, 4-5, and 7-10, respectively, and are therefore rejected using the same art and rationale applied above.

As per claim 13, Jimmy Fund does not expressly disclose means for accessing tools through a telephone. Weyer et al. discloses that an interface is provided to the user via telephone means (with a menu) (See column 14, lines 10-30).

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Jimmy Fund discloses Internet means and menus for managing a fundraising/volunteer program. Weyer et al. discloses that a voicemail menu system accessed by a user via a telephone may be used to provide the user interface in place of Web site/Internet means. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include telephone means with the teachings of Jimmy Fund in order to more efficiently provide online communications to diverse recipients. See column 14, lines 10-30 of Weyer et al.

As per claim 21, Jimmy Fund teaches a method in a computer system for initiating and managing customizable volunteer group programs that include a plurality of volunteers, the method comprising:

providing an information menu of predetermined program goals consisting of individual and group challenges to be addressed, wherein the goals are related to programs associated with types including catastrophic medical events, providing care for an aging loved one, and the arrival of a new baby (See page 1, section 1, page 12, section 1, and pages 15-16, wherein information is provided concerning the predetermined goals of a volunteer program to the user, which include catastrophic medical events like cancer);

providing an interactive process to the user through the computer system to enable the user to select at least one of the program goals on the information menu to pursue (See page 1, section 1, page 12, section 1, and pages 15-16, wherein the user dynamically links through the site and selects the team option to pursue);

generating and outputting electronically, from the computer system, an organizational framework based on the at least one selected type, with specific roles,

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responsibilities, and features needed to meet the challenges typical of situations of that type (See pages 15-16, wherein a framework is outputted that corresponds to the team option, the output showing specific roles (team leader versus team member), responsibilities (fundraising and recruitment goals), and features (webpage, email, etc) used to pursue the goal);

providing tools for:

customizing the roles, responsibilities, and features typical of a program type to reflect the unique needs of the individual or group facing that type of challenge and being supported by the volunteer group program;

recruiting additional volunteers (See pages 15-16, with tools for recruiting volunteers);

managing and scheduling the efforts of the additional volunteers (See pages 11-12 and 15-16, wherein the activities of the recruited volunteers (i.e. fundraising and participating in the walk) are managed (the team leader monitors the volunteer fundraising levels) and scheduled (the fundraising must be completed by a specified date and the walk occurs on a specified date)); and

communicating details related to progress of the volunteer group program to all interested parties (See pages 15-16, wherein progress is reported);

providing an option to set a requirement of password access to control access of others to a World Wide Web site associated with the volunteer group program and accessible through the computer system (See page 4, section 1, page 15, and page 17, wherein the user has a "my HQ" section requiring login. Also the user may maintain an account with a password);

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providing project timelines, procedures, content guidelines, examples, and editable copy from the computer system for use by the additional volunteers (See pages 11-12 and 15-16, wherein timelines (recruiting and fundraising deadlines), procedures (about the walk information), content guidelines (i.e. text about the team on the webpage, such as a default message), examples (how much to raise, ways to gain recognition, etc.), and editable copy (support and recruitment emails) are provided); and

providing promotional materials generated by the computer system to build awareness of the volunteer group programs among potential new volunteers (See page 16, section 1, wherein promotional materials (encouraging text and pictures) are provided to build awareness of the team and recruit additional volunteers).

However, The Jimmy Fund does not expressly disclose that only a program manager is provided an option to set a requirement of password access.

Jimmy Fund discloses that when a captain/team leader starts a team, this captain is responsible for entering a team name, entering fundraising and recruiting goals and managing completion of these goals. Jimmy fund further discloses that when a volunteer registers with the system, the volunteer must enter the team name that he/she is joining. Further, the volunteers create a profile on the system called "My HQ" with which they can access and join other teams. The system includes a team web page that is edited and maintained by the team captain and available for access to all team members. Therefore, the art touches on the fact that there is control over the team by the team captain and control over the team web page. Further, Examiner points out that a main user inviting other users to view a web page associated with the main user via password protected means is well known in the art. Therefore, it would have been obvious to one of ordinary

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skill in the art at the time of the invention to have a program manager (i.e. team leader) set a requirement of password access to the team web page in order to more efficiently secure access to the team page by ensuring that the page is available to all team members and not persons who are not part of the team. See pages 15-16 and 20.

9. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over The Jimmy Fund ([www.jimmyfund.org](http://www.jimmyfund.org)) in view of Weyer et al. (U.S. 6,671,714) and in further view of Stremmler (U.S. 2005/0033669).

As per claim 6, The Jimmy Fund discloses a method further comprising:

providing a computer system sub-routine to track tasks of the volunteer group program (See pages 15-16, wherein the team leader monitors the status of the volunteer members' tasks) and the ability for the team leader to monitor the status of the tasks and the team leaders ability to send emails (See pages 15-16). However, The Jimmy Fund and Weyer et al. do not expressly disclose and Stremmler discloses generating and send reminder messages to individuals via communication means to insure that the tasks are not overlooked (See paragraphs 0191, 0255, 0383, 0435, 0461, 0475, 0549, 0573, wherein tasks are tracked and reminders are sent).

Both The Jimmy Fund and Stremmler et al. disclose computer-based systems that manage tasks of projects and transmit to users status and progress information concerning the project, such as completion levels. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to send a request to a member to aid in the completion of a non-completed task or project in order to more efficiently and successfully manage the project by not only notifying users of the needs of a project and

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its tasks, but also requesting action. See paragraphs 0191, 0435, 0461, 0549, 0573, which discuss progress reporting and reminders.

Claim 16 recites equivalent limitations to claim 6 and is therefore rejected using the same art and rationale applied above.

***Response to Arguments***

10. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iyama (JP 2002342537) discloses a management server associated with volunteer groups.

Gruber (U.S. 2004/0093226) discloses a system for managing a fundraiser campaign including managing volunteers.

Franco et al. (U.S. 2003/0014300) teaches a system that manages giving campaigns and has a campaign manager.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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*lwd*

bvd

January 11, 2207

*Beth Van Doran*  
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*Patent Examiner*